THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No: 16676 of 2005

ORDER:

In this writ petition, the petitioner challenges the order dated 25-05-2005 whereby the 1st respondent, while acknowledging receipt of the list of Executive Committee members for the years 2003-2004 to 2005-2006 (three years) on payment of renewal fee of Rs.300/- (rupees three hundred only) had informed the petitioner that filling of Annual Lists along with the statements showing the income and expenditure for the said period relating to "David Memorial Socio Educational Association" was exclusively binding subject to the outcome of the result in the Hon'ble District Court of Law.

Learned counsel for the petitioner, Sri P.Satyanarayana, submits that the last line in the said order dated 25-05-2005 to the effect "is exclusively binding subject to the outcome of the results in the Hon'ble District court of Law" is illegal, inasmuch as there is no suit pending in the District Court, since the earlier suit in O.S.No.74 of 2004 stood abated on the death of the plaintiff (Sri S.David Raju).

Mere inclusion of the above referred words in the proceeding dated 25-05-2005 cannot be said to have caused prejudice to the petitioner nor can it be said to have resulted in adverse consequences since, on the petitioner's own showing, the suit in O.S.No.74 of 2004 stood abated on the death of the plaintiff (S.David Raju). The fact remains that the respondent has accepted the list of Executive Committee members furnished by the petitioner as also the income and expenditure statement filed by the society. The writ petition as filed is wholly misconceived and is accordingly dismissed. No order as to costs.

RAMESH RANGANATHAN, J

Date: 11-08-2005

Prv